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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,581	02/18/2004	Liam Seery	8912/2015	2809
29933	7590	04/03/2006	EXAMINER	
PALMER & DODGE, LLP KATHLEEN M. WILLIAMS 111 HUNTINGTON AVENUE BOSTON, MA 02199			BUGAISKY, GABRIELE E	
			ART UNIT	PAPER NUMBER
			1656	

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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03302006

DATE MAILED:

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Commissioner for Patents

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 1656.

The reply filed on 23 January 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants have not indicated which of the claims of Group I read upon the elected subject matter. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

The Examiner is not clear regarding the identity of the elected subject matter, as claims 4-6 specify that the claimed protein is a cell surface receptor. A sequence search of the kinase of SEQ ID NO:226, however, implies that the enzyme is cytoplasmic, and thus cannot be a cell surface receptor. Applicants are required to state which of the claims of Group I read upon the elected subject matter. If the kinase is a cytoplasmic enzyme, then further restriction is required between assays using purified enzyme, classified in class 435, subclass 15 and those requiring its expression within a cell, classified in class 435, subclass 7.2. These assays utilize different products and require separate searches. If indeed the kinase is a cell membrane receptor, then claims 1- 6 will be examined, as the membrane of the cell is integral to the assay and it is impossible to perform such an assay with only a purified enzyme.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriele E. BUGAISKY whose telephone number is (571) 272-0945. The examiner can normally be reached on Tues.- Fri 8:15 AM-1:45 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathleen Kerr can be reached on (571) 272-0931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GABRIELE BUGAISKY
PRIMARY EXAMINER